

BARONIUS PRESS, LTD.,)	
)	
Plaintiff,)	
)	
v.)	
)	
SAINT BENEDICT PRESS LLC,)	
)	
Defendant.)	

**DEFENDANT
SAINT BENEDICT
PRESS, LLC'S
FIRST MOTION FOR A
PROTECTIVE ORDER**

1. On November 24, 2017, Defendant produced documents SBPP-00650 to SBPP-01379, which make up an unpublished draft of the book *Fundamentals of Catholic Dogma* (the “Draft”).
2. At the time Defendant produced the Draft to Plaintiff, Defendant mistakenly produced the Draft without the “Attorneys’ Eyes Only” designation. The parties to this action agreed to a protective order in this case permitting such Attorneys’ Eyes Only designation. (Doc. No. 26)
3. After producing the Draft without the “Attorneys’ Eyes Only” designation, Defendant conferred with Plaintiff regarding its desire to mark the Draft as “Attorneys’ Eyes Only. Plaintiff does not agree with its designation.

4. Defendant now asks this Court to designate SBPP-00650 to SBPP-01379 as “Attorneys’ Eyes Only” for the reasons set out in this Motion, in Defendant’s Response to Plaintiff’s Motion to Compel Defendant to Correct Designation of Non-Sensitive, Non-Trade Secret Documents from Attorneys’ Eyes Only to Confidential and Memorandum in Support of Defendant’s First Motion for A Protective Order, and in the Affidavit of Conor Gallagher attached thereto as Exhibit 2.

5. Pursuant to Local Rule 7.1(B) Defendant has conferred with opposing counsel regarding this motion and opposing counsel does not consent to this motion.

6. This motion is made for good cause and not for purposes of undue delay.

WHEREFORE, Defendant Saint Benedict Press, LLC respectfully requests that the Court designate SBPP-00650 to SBPP-01379 as “Attorneys’ Eyes Only.”

This the 25th day of September, 2018.

/s/ Jonathan E. Buchan
Jonathan E. Buchan, N.C. State Bar No. 8205
Natalie D. Potter, N.C. State Bar No. 34574
Attorneys for Defendant
Essex Richards, PA
1701 South Blvd.
Charlotte, NC 28203
Telephone: (704) 377-4300
Fax: (704) 372-1357
Email: jbuchan@essexrichards.com
Email: npotter@essexrichard.com

CERTIFICATE OF SERVICE

I hereby certify I electronically filed this document through the CM/ECF system, which will send a notice of electronic filing to:

Mark W. Ishman
Ishman Law Firm, P.C.
mishman@ishmanlaw.com
Attorney for Plaintiff

Kristin G. Garris
Tannenbaum Helpert Syracuse & Hirschtritt, LLP
garris@thsh.com
Attorney for Plaintiff

Luke J. Farley, Sr.
Conner Gwyn Schenck, PLLC
lfarley@cgspllc.com
Attorney for Brent Klaske, a non-party witness

This the 25th day of September, 2018.

/s/ Jonathan E. Buchan
Jonathan E. Buchan, N.C. State Bar No. 8205
Natalie D. Potter, N.C. State Bar No. 34574
Attorneys for Defendant
Essex Richards, P.A.
1701 South Blvd.
Charlotte, NC 28203
Telephone: (704) 377-4300
Fax: (704) 372-1357
Email: jbuchan@essexrichards.com
Email: npotter@essexrichards.com